

1 Q So you haven't written personally any check for a
2 debt service on behalf of Family Broadcasting, since you've
3 been President?

4 A No, I haven't.

5 Q Okay. Other than the payments from people who
6 have programs on the air, the advertising that we've talked
7 about, and funds provided by your mother or your father, are
8 there any other sources of funding for Family Broadcasting?

9 A The only other sources -- I know my brother
10 personally told me, you know, he's there to help me, if I
11 needed help. From the way he said it, I gathered he meant
12 financial. But I personally -- if they're not involved with
13 it, you know, to the extent that I am, I wouldn't feel right
14 taking the money from them. But I know he did explain to me
15 that he was willing to help --

16 Q Okay.

17 A -- do whatever he can to help but I'm sure if I
18 need help from him, you know, I won't have any problem.

19 MR. COLBY: Could we ask which brother she's
20 referring to?

21 THE WITNESS: I'm sorry. From Gerard, 11.

22 BY MS. DeNIGRO:

23 Q Okay. Are you in contact with the Assembly of God
24 Church about running a program on the stat on?

25 A They no longer have a program.

1 Q Do you know if your father's been in contact with
2 the Board of Directors of that church in an attempt to get
3 them to run a program?

4 A I have no knowledge of that and none of them have
5 approached me nor have they called. Usually, when someone
6 is interested in having a program at the station, they call.

7 Q Do you know if your father approached them about
8 running a show?

9 A No. No, I don't.

10 Q Would he have authority to provide them with time
11 on the air?

12 A No, he does not. I'm the only one.

13 Q You had made reference to I believe a Lucien
14 Peterson, who --

15 A Lucien.

16 Q -- had a program on the show and no longer does.
17 Is that --

18 A No. He's off the island at the moment.

19 Q He's off the island at the moment.

20 A Yes.

21 Q Was there a period of time where he had a program
22 that he did not pay for?

23 A Yes. I gave him a program because he came up and
24 he assisted with painting the building and helping me. I
25 was in the process of -- I was personally cleaning up the

1 building, fixing up the building. It's a government-owned
2 building. I met with the government representative, the
3 Administrator, the Department of Public Works
4 representative, the Assistant Commissioner and a few other
5 government employees in the end of September 2001. We sat
6 down and they were supposed to do certain things to the
7 building. I did my part and cleaned up the building and
8 painted it. They're responsible for certain things, which
9 to this day they have not done.

10 Q What are those things?

11 A They were supposed to assist with the roof and
12 they were supposed to -- the road leading up to the station
13 is right on the water. A lot of erosion has started and the
14 road is slowly washing away. I asked them about putting
15 some boulders or doing something to at least slow down the
16 erosion and to move the road in some more up the hill. They
17 were supposed to do that. To this date, they haven't. But
18 I've been calling them and I've been writing them about it.

19 Q Did anybody else participate in this meeting with
20 the government and with you about making these changes?

21 A The only person that was with me at the time was
22 my cousin, Vernon James.

23 Q Okay. What is his involvement, Vernon James'
24 involvement?

25 A No. He was just there with me because he

1 previously worked at Crucian Rum and he's --

2 Q I'm sorry. Where did he previously work?

3 A Crucian Rum.

4 Q Crucian Rum.

5 A The factory, the distillery.

6 Q Okay.

7 A He was injured. So he's on disability and he said:

8 Well, you know, instead of staying home and looking at four

9 walls. Whenever his back isn't bothering him, he comes up

10 to the station and he answers the phone. He gives me a

11 hand, you know, answering the phone.

12 Q Okay. Does he get paid for that?

13 A No, he doesn't.

14 Q Okay. So your cousin and you met --

15 (Multiple voices.)

16 A Well, he was there when --

17 Q He was there?

18 A Yes. He was there when I met with them in the

19 Government House.

20 Q Who was there from the government?

21 A The Administrator, Gregory Francis; the Assistant
22 Commissioner of Public Works, Mr. Melendez; Mr. Walcott from
23 the Office of OMB, the Office of Management and Budget;
24 attorney Ponteen from Property and Procurements.

25 Q Wow! A large group.

1 A Yes. I told them -- well, I requested an audience
2 with the Governor and that's how I got to see them.

3 Q This took place at your office or --
4 (Multiple voices.)

5 A No. I met with them at the Government House.

6 Q Okay.

7 A Yes. This was at the end of September. I think
8 it was September 29th. It was after I left here the last
9 time, September 2001.

10 Q Okay.

11 A We came to an agreement. At the time, they said
12 that they would deal with all of these things and, of
13 course, there was 9/11 prior to that. I told them: Okay. I
14 will give you a little chance but I'm not going to give you
15 five years. I don't even know if I have five years. So I'm
16 not giving you that long but I need something done. So I
17 have been -- I guess I'm persona non grata in Government
18 House now because whenever they see me coming they **usually**
19 say: Ah, gee, here we go again.

20 But if I promise you something, I am going to
21 stick by my word and I expect them to do the same. I told
22 them already: I do not play politics with WSTX, so please
23 leave that out of the fray. Whatever differences they may
24 have had with my brother, my name is Barbara, so let's deal
25 with it like mature adults. Over the Christmas holidays, I

1 saw the Administrator and I told him: I'm waiting.

2 He said: Yes. Next month, which is this month.

3 So I told him that I have to off the island. When I come
4 back, I'd like to see something different.

5 Q You're referring again to the --

6 (Multiple voices.)

7 A Now when I get back --

8 Q -- road and the roof?

9 A The road and the roof.

10 Q Anything else?

11 A I have a list of things that, you know, we agreed
12 to and I have done my part.

13 Q You say you have a list of things agreed to. Is
14 this your own personal list, or is this --

15 (Multiple voices)

16 A Well, things that I --

17 Q -- things that are written in a signed document?

18 A -- wanted to do for the building because the
19 building is a historical site. When I met with them I
20 asked: May I have the names of the members of the Historical
21 Preservation Commission because they receive government
22 funds to fix historical sites. We have been in that
23 building for 12 years and that building had no roof. Well,
24 part of it had no roof.

25 We put a roof on but it's right near the sea. I

1 don't know if you're aware with the salt water, the sea
2 blast takes a toll on everything, not to mention the
3 equipment inside that we have to constantly keep replacing.
4 But it takes a toll on everything. The original portion of
5 the building has walls that are this thick. It has a lot of
6 salt in it. I had to panel the entire place. That I did
7 before I left there in '92.

8 The Historic Preservation Commission never once
9 visited WSTX. It was originally a fort, Ft. Louise Augusta,
10 also known as Battery House. When I met in Government House
11 with them, I told them I said: This is a historical site.
12 Many taxi drivers bring people up there on a daily basis to
13 circle. It's a beautiful site from up there especially at
14 night. They bring people up there and I said: You know
15 what? I could have had the roof fixed and the entire
16 building and everything done, if I had a toll booth at the
17 bottom of the hill. Even if all I collected was 50 cents, I
18 would have had enough money to finish fixing the place and
19 probably put my tower up faster than anything.

20 They take it as a joke but I was serious when I
21 spoke to them about that because I said: Had this been my
22 property, I said, so why don't you sell it to me? Oh, no,
23 this is the government's.

24 The government has a lot of abandoned property and
25 they're trying to make WSTX look like a piece of abandoned

1 property. I painted that place up. Right now, I have two
2 big five gallons of paint to paint the place over because
3 the sea blast takes a toll on it.

4 It has been raining so often, I just paid to have
5 the grass cut. I have to cut the grass twice a week now
6 instead of maybe once a week or once every two weeks. It's
7 beginning to look like a jungle. If I'm trying to get
8 people to come up there and spend money with me, I have to
9 have the place looking decent because the appearance says a
10 lot.

11 Q Okay. So all of these items, the grass care and
12 the upkeep of the building. Is there any written --

13 (Multiple voices.)

14 A At that meeting --

15 Q -- agreement with the government about making
16 changes to the property, physical changes?

17 A Well, all of this was done on a verbal basis.

18 Q Okay.

19 A They assured me: Yes. We shook on it and I said:
20 Are we going to reduce this to writing? There was no one
21 there taking notes at the time. They had their notes and I
22 had my notes.

23 Q Right.

24 A I said: Okay. Man to woman, fine, let's shake on
25 it. They agreed and it was nothing but lip service. But I

1 told them: Lip service is over. I gave them until the
2 inauguration of the Governor and the Lieutenant Governor
3 this month and I'm moving after that. I told them that the
4 Historic Preservation Commission, during my last trip up
5 here in September, they finally got members of the
6 Commission to go up to the radio station because they said:
7 No. That is not a historical site. I didn't argue. I
8 said: Yes, it is.

9 When I got back to St. Croix, I received a
10 telephone call telling me: You were right. It is a
11 historical site but we can't give you any money now. We
12 have to wait until the budget is passed. The budget has
13 come and gone and the next budget is ready, so I had better
14 be in the next budget because I was not in the last budget.
15 The same Historical Preservation Commission has painted many
16 buildings in the town of Christiansted, buildings that are
17 owned by millionaires. They've taken care of their
18 property. The government's property that needs to be taken
19 care of, they're not taking care of it. I guess it's
20 because of the tenants that are there.

21 Q Are there any tenants in this building other than
22 Family Broadcasting?

23 A No. It's a small building. It's just the radio
24 station and that's it.

25 Q Okay. Are you paying any rent for the property

1 that you're in at this point?

2 A At the time when we met --

3 Q In September 2001?

4 A -- in September 2001, they told me, and this was
5 from the Administrator. They will off-set everything until
6 all the changes are made. Once they're made, attorney
7 Ponteen was told that he can start preparing our lease
8 agreement because when I asked to see a copy of the lease
9 agreement --

10 (Multiple voices.)

11 Q Who's this attorney? I'm sorry.

12 A Attorney Ponteen --

13 Q And what is his --

14 A -- from the Department of Property and
15 Procurement.

16 Q He's preparing a lease? There isn't currently a
17 written lease?

18 A They could not find --

19 Q They can't find it?

20 A -- a copy **of** the lease.

21 Q You don't have a copy of it?

22 A We have no --

23 Q So at one time there was --

24 A -- lease on file.

25 Q -- a copy but nobody knows where it is now?

1 A No one knows where it is.

2 Q Okay.

3 A They said that it was possibly filed in St.
4 Thomas. They couldn't find it because I made all of these
5 inquiries because I want to know that everything is on the
6 up and up. I was told that once they have completed what
7 they're supposed to do, attorney Ponteen will prepare the
8 lease. I told him: Fine. I will just go on an annual lease
9 because if I can move from here and go elsewhere, I would
10 move from here and the only thing I would lease from you is
11 the hill where the transmitter is housed and where the
12 antenna will be going back up.

13 Because there's no need for me to stay in a
14 building that constantly needs repair because the money that
15 I'm putting into that building I could put into actually
16 getting better equipment to enhance our, you know, radio
17 station and improve our programming and that's what I intend
18 to do.

19 Q Is it your understanding that the off-set of the
20 rent is based on the condition of the property and changes
21 that need to be made or is it based on something else?

22 (Multiple voices.)

23 A That was the understanding that I personally had
24 with them.

25 Q Okay. As of September of 2001?

1 A September 2001.

2 Q Okay. Are you aware of any other arrangement?

3 A No. I don't because this is something that I
4 pursued when I was the one that was sort of responsible now
5 for the radio station. I took it upon myself to arrange the
6 meeting with them. I did ask to speak to the Governor.

7 Q Okay.

8 A But they came in between and they said they'll
9 take care of it and there's no need to go to him. But, when
10 I get back if I don't get things done, I am going to the
11 Governor.

12 Q Are you aware of any arrangement in which rent is
13 waived in exchange for air time provided to the government?

14 A Not that I'm aware of. All I know is what I have
15 done with them since I'm there.

16 Q Okay. You had mentioned your father's legal
17 office a few times in your testimony today. Do you do legal
18 work for your father with his law practice?

19 (Multiple voices.)

20 A Well, not currently. I used to but not currently.

21 Q During the period of '97, you referred to work
22 that you did.

23 A Yes, I did.

24 Q Currently you don't do any legal work?

25 A No, not at the moment.

1 Q When was the last time you did?

2 A If he needs help with, you know, typing something
3 or, you know, he will bring it home. I have a computer
4 there and I'll give him a hand if he has a lot of work to
5 do. But other than that, I'm not involved with his legal
6 practice

7 Q Okay. Do you ever go to his law office?

8 A The last time I was there was about a month ago
9 and that's when I went to look through some files to see
10 what documents I can find for Family Broadcasting.

11 Q Did **you** find files there related to Family
12 Broadcasting?

13 A No. His filing system is -- you need to see his
14 office to believe it. Since his secretary is --

15 Q Bring me down to St. Croix and I'll take a look.

16 A Since his secretary is no longer there, he has a
17 filing system that only he can find whatever it is.

18 Q Okay.

19 A I have actually --

20 Q Do you believe there are documents related to
21 Family Broadcasting in there?

22 A Well, since he was the one that initially did
23 everything involving the station and since I didn't want to
24 have to deal with anything just coming in blind, I've been
25 asking and I've been begging him to please find whatever

1 documents he has, so at least I'll have something to go on.
2 I will know exactly where we stand. That's why many times I
3 have no idea what is owed, to whom it's owed or what, you
4 know, certain conditions are. I don't like that position.
5 If I'm in charge of something, I need to know exactly what's
6 what. It puts me in a bad light

7 Q Have you, or anyone at your direction, made an
8 attempt to dig through his files and collect the material
9 related to Family Broadcasting?

10 (Multiple voices.)

11 A Well, my father has been looking which -- when he
12 isn't in court, he's in his office and he has clients coming
13 there. I told him he needs to just slack off and just
14 retire and spend some time finding the files because I need
15 all of that information.

16 Q Will he let you go in and see for yourself?

17 A I have a key for his office. The problem is I
18 spend **so** much time either at the station, or when my son
19 isn't feeling well, I'm at home working. Sometimes I work
20 at home. Then, when I get to the station, it's in the
21 evening but I get to the station every day. There isn't one
22 day that I am not at that radio station.

23 But when I go to his office, I have tried looking
24 and I found one drawer that said: Family Broadcasting. But
25 when I opened the drawer, it was empty. He had already

1 probably gone through and a lot of that particular filing
2 cabinet was sitting in water, so a lot of the things --

3 (Multiple voices.)

4 Q Was there a flood there?

5 A No. When we had the hurricanes.

6 Q Okay.

7 A What my father did because I know he did it at
8 home when we lost the roof.

9 Q When you lost the roof of the radio station
10 office?

11 A During the -- home, at home, the roof at home.

12 Q Okay.

13 A In cleaning up, my father doesn't say: Well, let
14 me see what I can salvage. If it's wet, he dumps it.

15 Q Okay.

16 A **So** a lot of documents were lost that way. I told
17 him he could have saved some things and let them dry out and
18 see what we could find from that because it doesn't make
19 sense to have to try and dig up things. I have no idea many
20 times, you know, what the conditions are. So it's as though
21 I'm starting from scratch because I don't know. It's not --
22 I'm making some headway but it's a long tedious process.

23 Q Are there certain things that you have to rely on
24 your father's information or rely on your father to
25 provide --

1 (Multiple voices.)

2 A No.

3 Q -- information.

4 A What I was trying to find is just any files
5 pertaining to WSTX, to Family Broadcasting --

6 Q Right.

7 A -- so that at least I can get a picture of where
8 we stand or, you know, what the situation is and that's why
9 I'm trying to get all **of** these things from his office. Any
10 documents or anything that I have, I have acquired since I
11 am there.

12 Q Okay.

13 A Whatever I have, he does not have. I have those.

14 Q Over the last year or I guess two years since you
15 became President of Family Broadcasting, what discussions
16 have you had with your brothers, any of your three brothers,
17 about running the radio station?

18 A Well, the only thing I just mentioned to them what
19 the situation was, that I had to come up here for the
20 deposition. I explained all **of** that to them.

21 Q To each **of** them separately?

22 A Well, just in conversation when they would call
23 home, or I got a chance to speak to them and they said:
24 Okay. Do your best and see what you can do. They're
25 leaving it up to me

1 Q Okay. That's the only --

2 (Multiple voices.)

3 A So I guess --

4 Q -- discussions you had with them?

5 A Yes.

6 Q Okay. Have any of your brothers, any of the three
7 of them, expressed any reservations to you about you being
8 President of the company?

9 A No, they have not.

10 Q Do they think it's going to be a difficult task?

11 A Well, we all know they did mention that. They
12 know it's going to be difficult because they know their
13 father. But, aside from that, the one positive is that they
14 did tell me they have confidence in me and they know that
15 I'll do it because I can be like a bloodhound when I get
16 ready. But it's not an easy task.

17 Q You had never attended a Board of Directors
18 meeting for Family Broadcasting. Is that correct?

19 A No.

20 Q Do you know if there's ever been a Board of
21 Directors meeting for Family Broadcasting?

22 A Any meetings that were held were like little
23 informal meetings, you know, when you sit down, my father
24 would say: Oh, the station is doing this or we're having
25 this program. But as such as having a Board of Directors

1 meeting where we discuss the finances, uh-uh. A lot of
2 those things, he just kept it to himself.

3 Q Have you ever had an appraiser of any kind value
4 the radio station for you? Have you ever had anyone
5 appraise the value of Family Broadcasting?

6 A No, I have not.

7 Q Okay. What is your current understanding of the
8 stock-ownership position of Family Broadcasting?

9 A As far as I know, my parents signed a document
10 transferring their interests over to the four children and
11 whatever they owned would be divided among the four of us
12 equally.

13 Q Other than what they own, what is your
14 understanding of --

15 (Multiple voices.)

16 A Well, the only thing I'm aware of is that my
17 father said that he had sold some stock, which, when he
18 first mentioned it, my mother and I were against it.

19 Q When did he first mention that?

20 A Gee! That's years ago. I don't even remember
21 what year. That's a long time ago. It was just like in
22 conversation and we were at the dinner table and he said: I
23 decided I'm going to sell some stock in the station because
24 people have been calling and they want, you know, they're
25 interested in WSTX.

1 I said: No. I said: That's not something that you
2 need to get involved in. Because, at the time, I had no
3 idea what the value was and you don't just do things like
4 that in a vacuum. You have to know exactly what you're
5 dealing with.

6 Q Other than that conversation that you just
7 identified, do you have any other personal knowledge of the
8 stock ownership aside from what your parents own?

9 A No. The only thing I know is that when I
10 questioned my father since my last visit up here in looking
11 through his office, he did give me some papers that he
12 found.

13 Q Okay.

14 A But that was the first time that I had seen those.

15 Q I'm going to give you two documents. I think we
16 are up to --

17 A To 12.

18 Q To 12.

19 A Yes.

20 Q One we will call Deposition Exhibit 12; and one we
21 will call Deposition Exhibit 13.

22 (The documents referred to
23 were marked for identification
24 as Deposition Exhibit No's. 12
25 and 13.)

1 MS. DeNIGRO: If you could pass these down to the
2 next table so that they can have a copy. There is order
3 with 12 on top.

4 BY MS. DeNIGRO:

5 Q If you could take a minute and look at those two
6 documents and identify them for me if you can?

7 A Exhibit No. 12 is a copy of a list that my father
8 gave me that he found in his office. It's entitled: Shares
9 Family Broadcasting, Incorporated; and the other list is the
10 list that I personally typed up and put together based on
11 what my father had given me. I was trying to decipher this
12 one and that is what this is.

13 Q Okay. Do you know if the information contained in
14 either list, in Deposition Exhibit 12 or Deposition Exhibit
15 13, is true and accurate as to the stock ownership of the
16 radio station?

17 A I have no personal knowledge of this.

18 Q So the only source of information for these two
19 documents is what your father gave you and what your father
20 told you?

21 A Yes. This is what he gave me and, based on what
22 he gave me, this is what I tried to decipher in, you know,
23 putting together some type of order.

24 MR. COLBY: You're saying that your father gave
25 you 12 and that there is --

1 THE WITNESS: He gave me 12 and 13 I typed up in
2 an attempt to decipher this.

3 BY MS. DeNIGRO:

4 Q Yes.

5 A To make it easier.

6 VOIR DIRE EXAMINATION

7 BY MR. COLBY:

8 Q When you say this, you hold up a document.

9 A I'm sorry.

10 Q The reporter has no way later in knowing which
11 document you held up.

12 A Exhibit No. 13 is an attempt to decipher Exhibit
13 No. 12, to put it in a manner that it can be understood.

14 FURTHER DIRECT EXAMINATION

15 BY MS. DeNIGRO:

16 Q Okay. So have you ever spoken to any of the
17 individuals listed in Deposition Exhibit No. 12 or
18 Deposition Exhibit No. 13 about their understanding of their
19 stock-ownership position in Family Broadcasting?

20 A No, I have not.

21 Q Okay. Let me just see if my understanding of the
22 differences between the two documents is consistent with
23 yours, since you are the author of Deposition No. 13. I
24 think when I compared them, what you did was eliminate any
25 name on Deposition Exhibit No. 12 that did not have the

1 letters PD, I believe meaning Paid, next to them and you
2 eliminated the entries for those people, Thomas John Hope
3 and the Hope family and one other person, who you spoke
4 about before, Catherine Henry, who are circled or scribbled
5 out on Deposition Exhibit No. 12. Is that right?

6 (Multiple voices.)

7 A Yes. They were reimbursed.

8 Q Okay. Your understanding of the reason that they
9 were circled or scribbled out is that they were reimbursed?

10 A Yes.

11 Q Okay. That understanding about the reimbursement
12 comes from where? What's your source of information for --

13 A Catherine Henry I know personally because I
14 reimbursed that to her. The John Hope family, my mother is
15 the one who advised me that that one was reimbursed because
16 she assisted in the repayment.

17 Q Okay. Do you know whether anyone else on this
18 list was reimbursed for stock?

19 A No, I don't.

20 Q Do you know whether anyone else on this list paid
21 for stock?

22 A No, I don't.

23 Q Do you know what they would have paid for stock?

24 A I have no idea. All I know is the one that I
25 dealt with.

1 Q Your entry on Deposition Exhibit No. 13, Item No.
2 33, says: Senator Gerard Luz James, II. **Is** that your
3 brother?

4 A Yes, it is.

5 Q It says: 1,000 for the amount. I believe the
6 amount of shares next to his name. Is that right?

7 A Yes, it is.

8 Q Have you discussed his stock-ownership position
9 with your brother?

10 A The only thing he told me is that he does not own
11 any stock. That he had given some money to assist with the
12 station; and knowing my father the way he is, he's a family
13 man and he probably wrote down the equivalent amount that
14 would have been I guess based on what he thought an
15 equivalent amount would be.

16 Q Okay.

17 A But other than that, I have no personal knowledge
18 of this.

19 Q Do you believe he owns 1,000 shares of stock in
20 Family Broadcasting?

21 A He told me that, to the best of his knowledge, he
22 doesn't.

23 Q Okay. I'm going to show you a couple of documents
24 that we'll have the reporter identify as Exhibit No. 14 and
25 Exhibit No. 15.

1 (The documents referred to
2 were marked for identification
3 as Deposition Exhibit Nos. 14
4 and 15.)

5 If you could take a minute to look at those and
6 identify them for me if you can. Have you seen these
7 documents before?

8 A Yes, I have.

9 Q Both Deposition 14 and Deposition 15?

10 A Yes, I have.

11 Q Could you identify them for me?

12 A Deposition No. 14 is a copy of a letter along with
13 a copy of a stock certificate, a refund receipt and a copy
14 of a postal money order that were all executed by me in the
15 name of Ms. Catherine Henry.

16 Q This is the return of stock to Catherine Henry
17 that we discussed before?

18 (Multiple voices.)

19 A Yes, it is.

20 Q Where did you find the certificate that is page
21 two of Deposition Exhibit No. 14?

22 A The certificate was given to me by Ms. Henry
23 herself.

24 Q She brought that to you at the radio station?

25 A No. I visited her home. She called me on the

1 telephone. She gets around in a wheelchair. She's
2 disabled. So, instead of having her come to me, I told her
3 I would come to her.

4 Q Okay. Have you ever seen the document: Deposition
5 No. 15?

6 A Yes, I have.

7 Q Where did you get this document?

8 A These were given to me by my father when he gave
9 me the list because these he found in a file.

10 Q These appear to be shares of Family Broadcasting,
11 Inc. Is that correct?

12 A Yes, they are.

13 Q Okay. Have you ever seen any other shares of
14 Family Broadcasting, Inc. that looked like this, anywhere
15 other than Deposition 14 and Deposition 15?

16 A No, I have not.

17 Q Do you know if any exist?

18 A I have no idea.

19 MS. DeNIGRO: I'm going to have the reporter mark
20 an her document as Exhibit No. 16.

21 (The document referred to was
22 marked for identification as
23 Deposition Exhibit No. 16.)

24 BY MS. DeNIGRO:

25 Q If you could take a minute to look at that

1 document and identify it for me **if** you can?

2 A Yes. This is the conveyance of stock from my
3 parents to my three brothers and myself.

4 MR. COLBY: There's a typographical error in the
5 document and I never saw it before. Kelsey T. Games should
6 be Kelsey T. James.

7 MS. DeNIGRO: Thank you. Duly noted.

8 BY MS. DeNIGRO:

9 Q Did your parents sign this document in your
10 presence?

11 A This one? Let's see. Yes, they did.

12 MS. DeNIGRO: I am going to have the court
13 reporter mark two more documents for us. I'm getting to the
14 end of my pile, as you can see, as No's. 17 and 18, if you
15 could.

16 (The documents referred to
17 were marked for identification
18 as Deposition Exhibit Nos. 17
19 and 18.)

20 BY MS. DeNIGRO:

21 Q That's 17 and 18, right?

22 A Yes.

23 Q Good. I've got enough to hand you these as well.
24 If you could take a minute to look at those documents and
25 identify them **for** me, if you can. Are you familiar with the

1 documents that are Depositions 17 and 18?

2 A Yes, I am.

3 Q Could you identify them for me?

4 A Exhibit 17 is the application to the FCC for the
5 transfer of the broadcast license to my name from my parents
6 to the four children. Correction.

7 Q The four children meaning yourself --
8 (Multiple voices.)

9 A Meaning my three brothers --

10 Q -- and your three brothers, correct?

11 A -- and myself.

12 Q Okay.

13 A Exhibit No. 18 is a copy of the ownership report.

14 Q In a couple of places in -- let me just back up
15 for a second. You caused both of these documents to be
16 filed on behalf of Family Broadcasting with the Federal
17 Communications Commission, correct?

18 A Yes, I did.

19 Q Okay. You saw them prior to the filing with the
20 Federal Communications Commission, right?

21 A Yes, I did.

22 Q Okay. In a couple of places in these documents
23 but just turning to one, which is page two of Deposition 17,
24 there is a notation by your father Gerard Luz James, meaning
25 that he has 51 percent of the voting stock of Family

1 Broadcasting and next to your mother, Asta K. James, that
2 she has 42. Where did you get those figures?

3 A Those figures were given to me by my father
4 initially when we were preparing these documents because I
5 had no idea what the ownership percentages were. He is the
6 one that provided these numbers to me.

7 Q Do you have any other source of information on
8 that fact other than your father?

9 A No, I don't.

10 Q Okay. Have you found any documents in your work
11 with Family Broadcasting, since the time you became
12 President, which would inform you about those facts?

13 A No, I don't. The only other information is the
14 list of --

15 (Multiple voices.)

16 Q The list that we talked about --

17 A -- shareholders that he -- yes.

18 Q The two lists that we talked about as marked as
19 exhibits for this deposition?

20 A Yes.

21 Q Okay. If you turn to the page that is -- let me
22 just find it quickly. Again, in several places in these
23 documents, but we'll just turn to one. I will find it in a
24 second. It's page number five of Exhibit **No.** 17. There's
25 Section 6(a), parties to the application. The third name

1 identified there is Gerard Luz James, II. Is that your
2 brother?

3 A Yes, it is.

4 Q His address is listed as 7-H Catherine's Rest. Is
5 that what the document reflects?

6 A Yes, it is.

7 Q Was he living at that address, at the time that
8 you included his address on this document?

9 A At the time that this was completed, he was living
10 in the Lieutenant Governor's residence but he always used
11 his own personal physical address to the best of my
12 knowledge and --

13 Q That was 7-H --

14 (Multiple voices.)

15 A -- I don't know --

16 Q -- Catherine's Rest?

17 A I see this and I know it was number seven. But,
18 as far as the letter, I'm not too sure what it was, whether
19 it was 7-H or 7-C.

20 Q Do you believe he owned that premise at the time
21 that this document was filed?

22 A No. When he moved to the Lieutenant Governor's
23 residence, he still left some of his personal effects at the
24 apartment that he lived in. This is the apartment where he
25 lived and that is the address. Whenever he wrote his

1 physical address, to the best of my knowledge, it was always
2 written with the Catherine's Rest address and then his post
3 office box number.

4 Q Okay.

5 A But if I'm not mistaken, I think a physical
6 address was required and that is why the physical address
7 that I was familiar with is the physical address that was
8 put here.

9 Q Why didn't you include the Lieutenant Governor's
10 mansion as the physical address for purposes of this filing?

11 A It honestly didn't even, you know, dawn on me to
12 use the Estate Sion Farm physical address.

13 Q Did you check with him before you filed the
14 document?

15 A I had spoken to him and told him that we would be
16 doing this document and he said: No problem. And that was
17 the address that I was familiar with at the time.

18 Q Okay. Let's mark another document as Deposition
19 Exhibit No. 19.

20 MS. DeNIGRO: One for you and you guys can have
21 these two and you can give that to the witness after you
22 mark it.

23 (The document referred to was
24 marked for identification as
25 Deposition Exhibit No. 19.)

1 BY MS. DeNIGRO:

2 Q Have you seen this document before?

3 A Yes, I have.

4 Q Could you identify it?

5 A This is the certificate of good standing for the
6 corporation, Family Broadcasting, that is on file with the
7 Lieutenant Governor's office.

8 Q Did you obtain this document?

9 A Yes, I did.

10 Q What did you need to do in order to obtain this
11 document?

12 A I had to complete a series of forms and also
13 financial statements. The documents that I said I would
14 provide to you had to be completed and filed with the
15 Lieutenant Governor's office in order to receive a
16 certificate of good standing.

17 Q That included financial statements up through what
18 time period?

19 A I think they covered sometime last year, June or
20 September 2002.

21 Q Okay. Was any money paid in order to get the
22 certificate we have?

23 A Yes.

24 Q What was that?

25 A With the filing of the documents, I think it came

1 to approximately \$1,500 that had to be paid.

2 Q What did the \$1,500 reflect?

3 A They reflected the payments along with penalties
4 and interest.

5 Q What were the payments? Is that taxes or fees or
6 what would --

7 (Multiple voices.)

8 A Corporate fees.

9 Q -- they reflect?

10 A Corporate taxes.

11 Q Okay. **As** well as penalties and interest?

12 A Penalties and interest.

13 Q Do you know what portion was penalties and
14 interest?

15 A No. I don't off-hand but I do have that
16 information. It's on the form.

17 Q The forms that I'll be receiving?

18 A Yes.

19 Q Okay. Where did the \$1,500 that was paid where
20 did you get that?

21 A That money was -- if I remember correctly, that
22 was based on -- I got that money from payments that were
23 made to the radio station.

24 Q Okay. From the --

25 (Multiple voices.)